

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JULIA REIN, et al.,

Plaintiffs,

v.

NORTHWEST MORTGAGE GROUP,
INC, et al.,

Defendants.

CASE NO. C14-5125 RBL

ORDER GRANTING PLAINTIFFS'
MOTION FOR LEAVE TO
PROCEED IN FORMA PAUPERIS

[DKT. # 32]

THIS MATTER is before the Court on Plaintiff Bryant's Motion for Leave to Proceed *in forma pauperis* [Dkt. #32].

A district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad discretion in resolving the application, but "the privilege of proceeding *in forma pauperis* in civil actions for damages should be sparingly granted." *Weller v. Dickson*, 314 F.2d 598, 600 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should "deny leave to proceed *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit." *Tripathi v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*

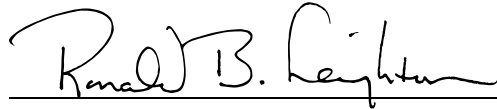
1 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*
2 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.
3 1984).

4 This case was filed in state court by the plaintiffs, and removed to this court by the
5 defendants [Dkt. #1]. The primary benefit of IFP status is that the plaintiff does not have to pay
6 the filing fee. He also may obtain court assistance in serving his complaint.

7 In this case, the filing fee has already been paid, by the Defendants, and Bryant has
8 apparently already served them. Nevertheless, the Bryant appears to be indigent and the Motion
9 to Proceed IFP is GRANTED.

10 IT IS SO ORDERED.

11 Dated this 19th day of March, 2014.

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14 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

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